



## ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

**1 Beatrice Kozera (CONS/PE)****Case No. 10CEPR00351****Conservator Albert Franco (pro per)****Conservator Patricia Leonard (pro per)****Probate Status Hearing Re: Filing of the Third Account.**

<b>DOD: 8/15/13</b>	<b>ALBERT FRANCO</b> and <b>PATRICIA LEONARD</b> are conservators of the person and estate.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Continued from 4/24/15. Minute order states Albert Franco and Patricia Leonard are ordered to be personally present or to appear via Court Call on 5/7/15.; the Court will discuss the necessity for filing a report in this matter and a separate probate for the estate.</b>
	Order approving second account and report was approved on 2/21/13.	
<b>Cont. from 042415</b>	Property on hand at the end of the second account included real property and cash in the sum of \$2,518.86.	
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>	Minute order dated 2/21/13 set this status hearing for the filing of the third account.	
<b>Notice of Hrg</b>	<b>Notice of Unavailability of Conservators filed on 4/21/15 states</b> the conservators are unable to attend the hearing on 4/24/15. If another hearing is required to close the case after notice of the conservatee's demise Mr. Franco (conservator) requests the court let him know.	
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>	Mr. Franco states the conservatee died on 8/15/13. Mr. Franco apologizes for waiting on the Notice of her demise but he was trying to figure out what needed to be done next and didn't have the funds to hire an attorney.	
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>	Mr. Franco states it is his understanding that the conservatorship ended with the conservatee's death but the court still has jurisdiction for a final accounting, if necessary. Mr. Franco humbly requests that the court find it is not necessary and, based on the Second Account current which was approved on 2/21/13, close this case.	
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>	There is no will and Mr. Franco and his sister are the only heirs to the remaining assets of this estate which is still essentially his mother's house. They are prepared and willing to open a new probate case to complete the disposition of his mother's estate.	

**Reviewed by: KT****Reviewed on: 5/5/15****Updates:****Recommendation:****File 1 - Kozera**

Atty Neilson, Bruce A. (for Janette Courtney – Executor – Petitioner)  
 Atty Dawson, Joanne E. (Pro Per – Beneficiary – Objector)

(1) First and Final Account and Report of Executor and Petition for Its Settlement,  
 (2) for Allowance to Executor and Attorneys for Compensation for Ordinary and Extraordinary  
 Services and for (3) Final Distribution

<b>DOD: 6-9-11</b>		<b>JANETTE COURTNEY</b> , Executor with Full IAEA without bond, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Account period: 9-15-11 through present</b> Accounting: \$560,956.26 Beginning POH: \$498,824.07 Ending POH: \$78,381.91 cash (Mariposa real property now distributed)	<u>Min. Order 2-26-15:</u> Joann Dawson, Dennis Thomas, and Steven Thomas all state that they do not object to preliminary distribution of the Mariposa property; Janette Courtney does object for the record. The Court finds good cause to grant the request for preliminary distribution due to Ms. Courtney's failure to make the mortgage payments and the property being near loss. Ms. Dawson is to file written objections regarding the remaining issues by 3/26/15; any replies to the objections are due by 4/9/15. The Court reserves the right to not allow late filed documents. Mr. Neilson submits an order for preliminary distribution.
<b>Cont from 022515, 022615</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	<b>Executor (Statutory): \$14,171.36</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input checked="" type="checkbox"/>	<b>Inventory</b>	<b>Attorney Bruce A. Neilson (Statutory): \$14,171.36</b>	
<input checked="" type="checkbox"/>	<b>PTC</b>		
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	<b>Attorney Bruce A. Neilson (Extraordinary): \$1,000.00</b> (for services in connection with the sale of the Visalia commercial real property, pursuant to Local Rule 7.18.A.)	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	<b>Attorney Scott Ivy (Extraordinary): \$62,049.28</b> (for services in connection with the litigation filed against Petitioner and this estate, pursuant to declaration and itemization at Exhibit B) <b>Petitioner has already paid said attorney compensation from her own funds and requests reimbursement from the estate.</b>	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>	<b>Closing: \$2,500.00</b>	
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>	<b>Petitioner states</b> because there insufficient funds in the estate to pay the executor and attorney's fees in full, Petitioner and her attorney will accept a prorated portion of the cash remaining in the estate after the reserve for taxes and closing expenses is deducted. Any unused portion of the reserve after the above payments shall be distributed in equal shares to the residuary beneficiaries.	
<input checked="" type="checkbox"/>	<b>Letters</b> 9-15-11		
<input type="checkbox"/>	<b>Duties/Supp</b>	<b>Distribution pursuant to Decedent's will:</b> Steven Thomas: Real property in Mariposa (specific bequest)	
<input checked="" type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>	<b>Petitioner states</b> after payment of the expenses of administration as set forth above there does not appear to be any remaining cash for distribution to the beneficiaries. Any remaining cash assets after closing expenses, attorney's fees and executor's fees are paid will be divided in equal shares to Janette Courtney, David A. Thomas, Joanne E. Dawson, and Sandra L. Thompson.	
<input type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		

SEE PAGE 2

Reviewed by: skc

Reviewed on: 5-5-15

Updates:

Recommendation:

File 2 - Drummond

Page 2

**NEEDS/PROBLEMS/COMMENTS:** The following remain noted for reference.

1. Petitioner paid extraordinary fees totaling \$62,049.28 to Attorney Scott Ivy in connection with the litigation against the estate, and requests reimbursement. The Court may require clarification with reference to Cal. Rules of Court 7.700.

**Note:** Exhibit B, Attorney Declaration Re Compensation, describes the benefit to the estate, and provides itemization in the form of billing statements for services in connection with the Petition to Determine Validity of Trust Instruments filed 12-19-11 in this matter and the related civil action, 11CECG04320. The declaration states the litigation was successfully settled to the benefit of the estate, as the Drummond Company agreed not to seek collection of outstanding loans owing by the decedent, saving the estate in excess of \$200,000.00. The litigation had stalled the sale of the Visalia property owned by the estate, and by the settlement, the complaining party agreed not to object to the sale, opening the way for the sale to provide funds to the estate. The parties agreed that the settlement would not impair or impede Petitioner's right to petition the probate court for reimbursement of her attorney's fees and costs incurred in the litigation. Petitioner paid for the defense from her own funds, for reasonable attorney's fees for extraordinary services, and should be reimbursed for \$62,049.28.

**Update:** Please note discussion re this amount in the Objection and Response.

2. Many of the expenses charged include expenses considered by this Court to be costs of doing business and not reimbursable, such as charges for photocopies, computer research fees, clerical services, travel/telephonic appearance costs, and runner/document services. The Court may disallow these charges. (Examiner calculates a total of \$1,251.86 in non-reimbursable expenses.)
3. The total cost also includes \$3,867.82 in interest charged on the various billing statements. The Court may require clarification or authority for interest charges on extraordinary fees not yet authorized by the Court.

**Declaration Re Attorney Fee Reimbursement filed 2-24-15 states** the examiner notes expressed that the Court may require clarification of the attorney fee reimbursement in light of CA Rule of Court 7.700. Mr. Neilson submits the following in response: The rule of court cited is to prohibit payment from estate assets prior to court authorization. In this case, no estate assets were used to pay the litigation attorney fees at issue; they were paid from the petitioner's own assets. Reimbursement is now sought to obtain court approval of reimbursement. This procedure was contemplated by the settlement of the litigation, which settlement agreement, approved by this Court (Judge Oliver), provided that the settlement agreement will not impair or impede Janette's right to petition the probate court for reimbursement of some or all of her attorney's fees and costs incurred in the litigation from the estate (attached). Petitioner is following that contemplated procedure and is now seeking the Court's approval.

**SEE ADDITIONAL PAGES**

Page 3

**Objections were filed 3-23-15 by Joanne E. Dawson. (Note: The caption indicates that Ms. Dawson is filing the objections "Oh Behalf of Respondents" including herself, David A. Thomas, Sandra L. Thompson and Steven Thomas; however, Ms. Dawson is not an attorney, and the Objections are only verified by Ms. Dawson, Steven Thomas, and David Thomas.)**

**Objector states** shortly after the decedent passed away, Petitioner advised Objector that she planned to keep the decedent's bank accounts out of probate and divide the monies among beneficiaries after the will was probated. She also confided to David A. Thomas that she intended to "hide money" from Probate. On or about 2-10-15, Respondents received the petition and discovered that bank accounts had not been included in the inventories. Respondents are aware of at least three accounts (see Exhibit A) and believe others may exist at various banks.

Objector states the Disbursements Schedule shows that at least two separate accounts (pursuant to check numbers referenced) were used to pay the itemized debts, but there is no indication of the source or amount of funds used to fund the second account. Respondents also believe certain check numbers are unaccounted for and were used for unauthorized purposes.

Objector states the executor intentionally failed to make a single payment on the Mariposa mortgage despite the fact that moneys were available, and failed to take all steps reasonably necessary for the management, protection and preservation of the estate in her possession pursuant to Probate Code §9650(2)(b) or surrender the property to the beneficiary. Instead, she unreasonably and without just cause dragged out the probate process for nearly four years waiting for the mortgage holder to foreclose on the Mariposa property to the detriment of Steve Thomas. In doing so, she failed to manage the estate with ordinary care and diligence required by §9600.

Disbursements schedule indicates that Petitioner paid herself \$8,810.04 for "funeral expenses;" however the itemization confirms that few of the expenses were related to the funeral, and it is unclear which bank account the expenses were paid from.

Objector refers to several specific accounts, including funds inherited by the decedent from her mother's trust, believed to be held by the decedent at her death and states Petitioner advised Respondent David Thomas that she invested the inherited funds in her own house flipping/remodeling company, then later denied that. Respondents seek a full accounting of the investments that were not included in the estate.

Objector objects to petitioner's request for reimbursement of \$62,049.28 "paid from her own funds." Respondents note that several attorney invoices are merely duplicates of other attached invoices, and it appears the amount actually paid was \$30,395.20. Respondents further allege the payments were made from the decedent's accounts.

Objector states there were insufficient receipts to cover the disbursements and it appears that the business (Drummond Company) and personal receipts and disbursements are lumped together on the same schedules. There is no explanation as to how disbursements were funded.

**SEE ADDITIONAL PAGES**

Objector alleges that the accounting does not comply with Probate Code §§1060-1064, and Petitioner should be required to reimburse the estate for the value of assets not accounted for and not included. Based on the less than transparent handling of the decedent's estate, Petitioner is not entitled to the statutory fee requested. Further, Attorney Neilson failed repeatedly to provide documentation and failed to exercise his fiduciary duty to protect the estate for all beneficiaries and failed to timely bring the estate to closure is not entitled to receive the statutory attorney fee.

**Objector requests that:**

- 1. Janette Courtney shall be removed as Executor and shall receive no fee due to her failure to properly administer, protect, and prosecute Decedent's estate with reasonable care;**
- 2. Janette Courtney shall reimburse the estate for the \$8,810.04 for alleged "funeral expenses" that were actually paid from Decedent's accounts;**
- 3. Janette Courtney shall produce to Respondents all documentation requested as set forth in Exhibit E within 15 days;**
- 4. Janette Courtney shall provide a true and accurate accounting of all investments made by or on behalf of Decedent within 15 days;**
- 5. Janette Courtney shall reimburse Decedent's estate for the value of any and all assets that were required to be included in, but were withheld from, the probate of Decedent's estate;**
- 6. Janette Courtney shall have 15 days to answer interrogatories concerning Decedent's estate to be propounded by Respondents pursuant to California Probate Code §8870I**
- 7. Attorney Neilson shall, within 15 days, submit an accounting of actual dates and times spent on the prosecution of Decedent's estate;**
- 8. Residuary cash in Decedent's estate shall be applied to arrearages on the mortgage on the Mariposa property;**
- 9. Such further order as the Court deems proper and just.**

**Petitioner Janette Courtney and Attorney Bruce Neilson filed declarations in response to Objections on 4-9-**

**15.** Petitioner states she informed Objector that the bank accounts on which she had joint ownership passed to her without administration and would not be part of the estate. She states she made no statement to David Thomas that she intended to hide money from probate. Objectors apparently did not understand that Petitioner had right of survivorship. Petitioner states she was informed by her mother that she cashed out her investments accounts long before her death.

As part of her investigation of potential estate assets, Petitioner went to various banks and asked for printouts of her mother's accounts, which show that Petitioner is the co-owner with right of survivorship. She was unable to get any information on the account used to run the Lucky Logger business in Mariposa and which account had paid the mortgage there.

The email referred to pertains to Dennis Thomas' interference with the probate process. He obtained possession of the vehicle in their mother's name without authorization and subsequently gave the vehicle to Steven Thomas, who continued the interference in the probate process by failing to give the vehicle back to Petitioner and instead used it and took it to a body shop due to damage. The vehicle dispute went into 2013 and Petitioner did not find out about the damage and that it was left at a body shop until then. Title had to be signed over due to storage fees.

**SEE ADDITIONAL PAGES**

**Page 5**

Petitioner states she was on her mother's accounts and wrote checks for household expenses. She states the decedent wanted the monies to go to Petitioner on her death and that is why she made Petitioner a co-owner and beneficiary. Attached is the email thread. Petitioner has always claimed these were accounts with right of survivorship and has provided documentation.

Petitioner states Ms. Dawson is incorrect – there was only one estate bank account used to pay the itemized debts. The first five check numbers are temporary checks provided by the bank until the ordered checks were delivered. See response for further explanation.

Petitioner states the mortgage on the Mariposa property was not included in the debts to be paid because the property was to go to Steve Thomas under the will, subject to the mortgage. Steve lived on the property and the mortgage had been made from the Lucky Logger account, which was under his control. He apparently stopped making the payments. Petitioner gave permission for the bank to discuss the account with Steve. It has been known since 2009 that the property was not worth the total owed and Petitioner could not justify estate funds to be spent on such an asset, so she left this for Steve Thomas to negotiate, since he lived on the property.

See declaration for explanation of funeral expenses and additional accounts.

Petitioner states she has reviewed the attorney's fee reimbursement request, which appeared correct pursuant to the invoices. She could not doublecheck because she was moving and records were unavailable. Upon review, Petitioner states she has paid the sum of \$48,695.20 to attorney Scott Ivy's firm. Petitioner realized that her husband had negotiated to reduce the fees. \$47,895.20 was paid from Petitioner's personal accounts.

Petitioner states she has tried to pursue the probate to the best of her ability. The litigation brought by a sibling was not resolved until dismissed in May 2013. The sale of the Visalia property was delayed by that litigation and did not close until May 2013. Thereafter there was the ongoing dispute re the vehicle. In 2014 they discussed and resolved to not dispute Steve Thomas' takeover of the Lucky Logger business, inasmuch as it was willed to him, even though the estate was stuck with the business' state tax lien of over \$11,000.00. For several months, Steve complained about the cost of a horse on the property where he lived, but they ultimately determined that the horse went with the ranch that was going to Steve. The final inventory was sent to the Probate Referee in December 2014. Petitioner understands some delay was also attributable to the press of business of her attorney as a sole practitioner.

**Attorney Neilson's declaration provides additional information regarding the administration of the estate.**

<b>DOD: 12/19/12</b>		<b>MINDY L. SHIRLEY</b> , friend, is Petitioner, and requests appointment as Successor Administrator of the Estate with Full IAEA and with bond set at \$400,000.00.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need proof of service of the Notice of Hearing along with a copy of the Petition on the Franchise Tax Board, pursuant to their request for Special Notice.  <b>Note:</b> If the petition is granted, status hearings will be set as follows:  • <b>Wednesday, May 27, 2015</b> at 9:00 a.m. in Department 303, for the filing of the bond.  Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.  <b>Note:</b> Daniel T. McCloskey's Petition for Attorney's Fees and Costs is also on calendar for 05/27/15.
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	<b>MANUEL ROJAS</b> was appointed as Administrator with full IAEA authority and without bond on 2/14/13. Order filed on 8/16/13 ordered the bond be set at \$400,000.00. <b>MANUEL ROJAS</b> died on 12/8/13 leaving a vacancy in the office of personal representative.	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>		w/
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>		
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>	<b>PAT HERNANDEZ</b> , sister, was appointed Successor Administrator with full IAEA and bond set at \$400,000.00 on 03/19/14. <b>PAT HERNANDEZ</b> died on 03/03/15 leaving a vacancy in the office of personal representative again.  Inventories and appraisals filed to date total \$396,629.05.	
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
<b>Reviewed by:</b> JF			
<b>Reviewed on:</b> 05/05/15			
<b>Updates:</b>			
<b>Recommendation:</b>			
<b>File 5 - Sanchez</b>			



Pro Per Petitioner: Edward Molloy, III, Administrator

## First and Final Account and Report of Administrator; and (1) Petition for Settlement, (2) Allowance of Commissions and Fees, and (3) Final Distribution

<b>DOD: 5/23/2013</b>		<b>EDWARD MOLLOY, III</b> , son and Administrator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Account period: 5/23/2013 – 1/31/2015</b>	1. Need <i>Notice of Hearing</i> and proof of service of notice to the following person pursuant to Probate Code §1220 and pursuant to § 11000 for settlement of the account: • <b>DANIEL D. MOLLOY</b> , son.
<b>Cont. from</b>		Accounting - <b>\$148,817.89</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$148,817.89</b>	2. <i>Schedule D, Property on Hand</i> states the balance of the estate consists of cash of <b>\$35,424.21</b> . <i>Schedule F, Requested Distribution</i> , sets forth the total of <b>\$35,859.21</b> as the assets to be distributed, which exceeds the property on hand. Need clarification and amended proposed distribution.
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - <b>\$ 35,424.21</b> (real property foreclosed; all cash)	
<input checked="" type="checkbox"/>	<b>Inventory</b>	Administrator - <b>\$1,919.15</b> (less than statutory)	3. <i>Petition</i> does not address the disposition of the following inventoried assets of the estate, nor does the proposed order request distribution of these assets: • Ford Ranger, appraised at <b>\$2,000.00</b> ; • Yamaha Scooter, appraised at <b>\$2,500.00</b> ; • Aluminum Fishing Boat, appraised at <b>\$500.00</b> ; • Household furniture, appraised at <b>\$3,000.00</b> ; • Appliances, electronics, misc., appraised at <b>\$3,300.00</b> ; Need explanation, revised proposed distribution, and revised proposed order.
<input checked="" type="checkbox"/>	<b>PTC</b>	Reimbursement - <b>\$375.06</b> (reimbursement to Administrator; balance remaining due from total costs of \$2,715.33, of which \$2,340.27 is <u>already paid for without Court order</u> for funeral expenses, property maintenance, filing fees, publication; receipts attached;)	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>		
	<b>Notice of Hrg</b>	X	
	<b>Aff.Mail</b>	X	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>	021114	
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		

**8A Lorraine Keehn (CONS/P)****Case No. 14CEPR00474****Atty Walters, Jennifer L. (Court appointed for Proposed Conservatee)****Atty Rosenbalm, Rochelle (Pro Per Conservator)****Petition for Substituted Judgment [§§ 2580(a)(1) and 2580 (b)(11)]**

		See petition for details.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  Continued from 3-5-15, 4-9-5  The following issues remain:  1. The settlement agreement referenced is not attached to the petition.  2. Petitioner does not provide copies of the trust, the 2002 modification, or the 2014 modifications. The Court may require this documentation pursuant to Probate Code §§ 2583(f), 2586.  3. This petition does not provide specifics as to what changes are being made to the trust. The Court may require the proposed documentation for review, as it appears the proposed changes do more than simply nullify the 2014 modifications.  4. Need order.	
Cont 030515, 040915				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order			X
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
<b>Reviewed by:</b> skc				
<b>Reviewed on:</b> 5-5-15				
<b>Updates:</b>				
<b>Recommendation:</b>				
<b>File</b> 8A - Keehn				

**8A**

Atty Rosenbalm, Rochelle (Pro Per – Conservator)

Atty Matlak, Steven M. (for Linda Courtney – Daughter – Petitioner)

Atty Walters, Jennifer L. (Court appointed for Proposed Conservatee)

Probate Status Hearing RE: Filing of Proof of Bond

Age: 91	<p><b>ROCHELLE ROSENBALM</b>, family friend, was appointed as Conservator of the Person with medical consent powers and Conservator of the Estate with bond set at \$1,003,640.00 on 12/08/14.</p> <p><b>Minute Order from</b> hearing on 12/08/14 set this matter for a status hearing regarding filing of the bond on 01/26/15.</p> <p><b>Letters of the Person only</b> were issued on 01/14/15.</p> <p><b>A Status Report was filed by Attorney Jared Marshall of Dowling Aaron Incorporated on 1-23-15.</b> Attorney Marshall states he spoke with Ms. Rosenbalm, who is unrepresented, about the status of the bond on 1-8-15. She stated she was working diligently to obtain bond, but was having difficulty due to the amount. On 1-23-15, Ms. Rosenbalm informed him that she was still unable to obtain a bond, but was working with Jennifer Walters, court-appointed counsel for the Conservatee, to remedy the situation.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>CONTINUED FROM 04/09/15</b>  <b>Minute Order from 04/09/15 states:</b>  <b>The Court orders bond reduced to \$774,480.48.</b></p> <p>1. Need bond in the amount of \$774,480.48 and/or current written status report.</p>
Cont. from 012615, 040915		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 05/05/15</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 8B - Keehn</b></p>		

<b>DOD: 11/3/13</b>		<b>MARYANN W. GIBBS</b> , Spouse and Administrator with Full IAEA without bond, is Petitioner.  Accounting is waived  I&A: \$52,500.00 (Community property cash settlement relating to Decedent's wages)  POH: \$52,500.00  Administrator (Statutory): Waived  Attorney (Statutory): \$1,050.00  Closing: \$500.00  Distribution pursuant to intestate succession is to:  Maryann W. Gibbs: \$26,250.00 representing Maryann W. Gibbs' community property interest in the settlement, plus \$24,700.00 representing Decedent's community property interest in the settlement, less attorney's fees and closing reserve.	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			
<input checked="" type="checkbox"/>	<b>Verified</b>			
<input checked="" type="checkbox"/>	<b>Inventory</b>			
<input checked="" type="checkbox"/>	<b>PTC</b>			
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>			
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>			
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>			w/o
	<b>Aff.Pub.</b>			
	<b>Sp.Ntc.</b>			
	<b>Pers.Serv.</b>			
	<b>Conf. Screen</b>			
<input checked="" type="checkbox"/>	<b>Letters</b>			
	<b>Duties/Supp</b>			
	<b>Objections</b>			
	<b>Video Receipt</b>			
	<b>CI Report</b>			
<input checked="" type="checkbox"/>	<b>9202</b>			
<input checked="" type="checkbox"/>	<b>Order</b>			
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
	<b>UCCJEA</b>			
	<b>Citation</b>			
<input checked="" type="checkbox"/>	<b>FTB Notice</b>			
			<b>Reviewed by:</b> skc	
			<b>Reviewed on:</b> 5/5/15	
			<b>Updates:</b>	
			<b>Recommendation:</b> SUBMITTED	
			<b>File 9 - Gibbs</b>	

Petitioner Ureta, Victor Anthony, III (Pro Per – Brother – Petitioner)

Petitioner Ureta, Michael (Pro Per – Brother – Petitioner)

## Petition for Appointment of Guardian of the Person (Prob. C. 1510)

		See petition for details.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. If diligence is not found, need notice to the father and paternal grandparents pursuant to Probate Code §1511.	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			X
	Aff.Mail			X
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			X
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 5/5/15	
			Updates:	
			Recommendation:	
			File 11 - Luna	

**Petitioner**      **Jaime Abelardo Garcia (Pro Per – Paternal Grandfather – Petitioner)**

			See petition for details.	NEEDS/PROBLEMS/ COMMENTS:
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	W		
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.	W		
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 5/5/15	
			Updates:	
			Recommendation:	
			File 12 - Garcia	

Petitioner Lucido, Janet (Pro Per – Daughter – Petitioner)  
 Petitioner Barsom, Jean (Pro Per – Daughter – Petitioner)  
 Petitioner Givens, Julie (Pro Per – Daughter – Petitioner)  
 Petitioner Keylon, Jeri (Pro Per – Daughter – Petitioner)  
 Petitioner Manuszak, Edward (Pro Per – Son – Petitioner)  
 Petitioner Carlson, Tom (Pro Per – Spouse – Petitioner)

**Petition to Determine Succession to Real Property (Prob. C. 13151)**

<b>DOD: 11/26/14</b>	<b>TOM CARLSON</b> , spouse, and Decedent's five children, <b>JANET LUCIDO, JEAN BARSOM,</b> <b>JULIE GIVENS, JERY KEYLON,</b> <b>and EDWARD MANUSZAK</b> , are Petitioners.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Petitioners provide conflicting information at #6 by checking both boxes. Petitioners state no other proceedings for administration are being conducted at box "a," but also check box "b" indicating consent by the personal representative, and each Petitioner signed a "consent" to the use of this proceeding stating they are each the personal representative. Need clarification: Is there another proceeding in which these petitioners were appointed as the personal representative of the decedent's estate?  2. Attachment 11 is incomplete. Need verified declaration stating the decedent's interest in the real property. Full or partial interest? Separate or community property interest?  3. Petitioners request Court determination that the real property passes to them 1/6 each; however, pursuant to Probate Code §6401, if the real property was the decedent's separate property, intestate succession would be to the spouse as to 1/3, and the remaining 2/3 would be divided between the decedent's five children.  4. Need revised proposed order pursuant to the above deficiencies.
<b>Cont. from 042915</b>		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>	40 days since DOD	
<input type="checkbox"/> <b>Inventory</b>	No other proceedings (?)	
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input type="checkbox"/> <b>Notice of Hrg</b>	I&A: \$140,000.00 (real property located at 3877 N. Atlas Way in Fresno)	
<input type="checkbox"/> <b>Aff.Mail</b>		
<input type="checkbox"/> <b>Aff.Pub.</b>	Decedent died intestate	
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>	Petitioners request Court determination that that the real property passes to them in 1/6 interests each.	
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>	x	
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> skc
		<b>Reviewed on:</b> 5/5/15
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 31 - Spenhoff</b>